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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,575	05/20/2002	Hiroyuki Segawa	113184-067	8726

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EXAMINER

NGUYEN, KIMBINH T

ART UNIT

PAPER NUMBER

2671

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/019,575

Applicant(s)

SEGAWA ET AL.

Examiner

Kimbinh T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to amendment filed 10/01/04.
2. Claims 14-26 are pending in the application.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 14-16, 18-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Handley et al. (6,792,398).

Claim 14, Handley et al. teaches displaying an object (virtual object 26; col. 7, lines 11-17; fig. 2A); an object tool representing the displayed object which is adapted to be manipulated in 3D such that the position and orientation of the object tool can be changed (virtual tool 28; col. 7, lines 37-40); an editing tool adapted to be manipulated in 3D such that a relative position between the editing tool and the object tool can be

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changed (virtual stylus 33; col. 7, lines 40-47); detecting relative position information corresponding to the relative position between the editing tool and the object tool (collision detection evaluation between the tool 28 and virtual object 26: the point is transformed from the local coordinates of the tool 28 to the local coordinates of the virtual object 26; col. 27, lines 10-26), executing the editing tool to modify attribute information (geometric primitive, color, texture map is update) of the displayed object on the basis of the detected relative position information (col. 43, line 44 through col. 44, line 13), thereby altering the appearance of the displayed object (modification with alternate feel; col. 32, lines 25-61; col. 47, lines 15-28).

Claim 15, Handley et al. teaches the processing means is configured to detect position of the object tool based on changes in the position and orientation of the object tool to modify attribute information of the displayed object on the basis of the detected relative position information, thereby altering the appearance of the displayed object (rendering process 16, lines 1-57).

Claim 16, the rationale provided in the rejection of claim 14 is incorporated herein.

Claim 18, Handley et al. teaches the attribute information of the displayed object is shape, color and sound (texture map (related to sound), color (col. 43, lines 55-65) and shape (3D shapes; col. 46, lines 13-31).

Claim 19, Handley et al. teaches executing a functional operation of the displayed object by the editing tool (drawing tool 690; col. 47, line 17).

Claim 20, the rationale provided in the rejection of claim 14 is incorporated herein. In addition, Handley et al. teaches updating the appearance of the displayed object based on the modified attribute information (col. 44, lines 26-28).

Claims 21-25, the rationale provided in the rejections of claims 15-20 are incorporated herein.

Claim 26, the rationale provided in the rejection of claim 20 is incorporated herein. In addition, Handley et al. et al. teaches a computer readable medium (col. 41, line 26; col. 42, lines 5-7).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Handley et al. (6,792,398) in view of Miwa et al. (5,418,712).

Claim 17, Handley et al. does not teach relative distance and relative angle; however, Miwa et al. teaches the relative position includes relative distance between the object tool and the editing tool and a relative angle between the object tool and editing tool (col. 16, line 30 through col. 17, line 30; figs. 12 and 13). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the relative position information (positional vector) taught by Miwa into the

method of operating editing tool of Handley for modeling 3D object, because it would provide a manipulation performance evaluating apparatus for evaluating a manipulation performance of an evaluated commodity is easily evaluated even though a size of the commodity is changed (col. 3, lines 26-29).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimbinh T. Nguyen whose telephone number is (703) 305-9683. The examiner can normally be reached on Monday to Thursday from 7:00 AM to 4:30 PM. The examiner can also be reached on alternate Friday from 7:00 AM to 3:30 PM.

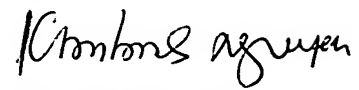
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman, can be reached at (703) 305-9798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read "Kimbinh Nguyen". The signature is written in a cursive, flowing style.

Kimbinh Nguyen

Patent Examiner AU 2671